

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-01524-APM**

LEOPOLD et al v. OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE et al
Assigned to: Judge Amit P. Mehta
Cause: 05:552 Freedom of Information Act

Date Filed: 07/28/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

JASON LEOPOLD

represented by **Nabiha Syed**
BUZZFEED INC.
111 East 18th Street
14th Floor
New York, NY 10003
(646) 600-9617
Fax: (212) 431-7461
Email: nabiha.syed@buzzfeed.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Merrick Jason Wayne
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: merrick@loevy.com
ATTORNEY TO BE NOTICED

Matthew Topic
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: matt@loevy.com
ATTORNEY TO BE NOTICED

Plaintiff

BUZZFEED, INC.

represented by **Nabiha Syed**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Merrick Jason Wayne
(See above for address)
ATTORNEY TO BE NOTICED

Matthew Topic
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF THE
TREASURY**

represented by **William Mark Nebeker**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2536
Fax: (202) 252-2599
Email: mark.nebeker@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Damon William Taaffe
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2544
Fax: (202) 252-2599
Email: damon.taaffe@usdoj.gov
TERMINATED: 02/22/2019

Sherri L. Morgan
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2538
Email: sherri.morgan@usdoj.gov
TERMINATED: 10/15/2018

Defendant

**OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE**

represented by **William Mark Nebeker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Damon William Taaffe
(See above for address)
TERMINATED: 02/22/2019

Sherri L. Morgan
(See above for address)
TERMINATED: 10/15/2018

Defendant

OFFICE OF SPECIAL COUNSEL

represented by **William Mark Nebeker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Damon William Taaffe
(See above for address)
TERMINATED: 02/22/2019

Sherri L. Morgan
(See above for address)
TERMINATED: 10/15/2018

Date Filed	#	Docket Text
07/28/2017	<u>1</u>	COMPLAINT against OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, OFFICE OF SPECIAL COUNSEL, US Department of the Treasury (Filing fee \$ 400 receipt number 0090-5051724), CIVIL COVER SHEET by JASON

		LEOPOLD, BUZZFEED, INC. filed by JASON LEOPOLD, BUZZFEED, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Civil Cover Sheet, # <u>7</u> Summons, # <u>8</u> Summons, # <u>9</u> Summons)(Topic, Matthew) (Entered: 07/28/2017)
07/28/2017	<u>2</u>	REQUEST FOR SUMMONS TO ISSUE <i>for the Attorney General of the United States</i> filed by BUZZFEED, INC., JASON LEOPOLD.(Topic, Matthew) (Entered: 07/28/2017)
07/28/2017	<u>3</u>	REQUEST FOR SUMMONS TO ISSUE <i>for the United States Attorney's Office</i> filed by BUZZFEED, INC., JASON LEOPOLD.(Topic, Matthew) (Entered: 07/28/2017)
07/31/2017	<u>4</u>	REQUEST FOR SUMMONS TO ISSUE <i>for the Office of Special Counsel</i> filed by BUZZFEED, INC., JASON LEOPOLD.(Topic, Matthew) (Entered: 07/31/2017)
07/31/2017	<u>5</u>	REQUEST FOR SUMMONS TO ISSUE <i>for the Office of the Director of National Intelligence</i> filed by BUZZFEED, INC., JASON LEOPOLD.(Topic, Matthew) (Entered: 07/31/2017)
07/31/2017	<u>6</u>	REQUEST FOR SUMMONS TO ISSUE <i>for the U.S. Department of the Treasury</i> filed by BUZZFEED, INC., JASON LEOPOLD.(Topic, Matthew) (Entered: 07/31/2017)
07/31/2017	<u>7</u>	REQUEST FOR SUMMONS TO ISSUE <i>for the United States Attorney's Office</i> filed by BUZZFEED, INC., JASON LEOPOLD.(Topic, Matthew) (Entered: 07/31/2017)
07/31/2017	<u>8</u>	REQUEST FOR SUMMONS TO ISSUE <i>for the Attorney General of the United States</i> filed by BUZZFEED, INC., JASON LEOPOLD.(Topic, Matthew) (Entered: 07/31/2017)
07/31/2017		Case Assigned to Judge Amit P. Mehta. (zsb) (Entered: 07/31/2017)
07/31/2017	<u>9</u>	SUMMONS (5) Issued Electronically as to OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Form)(zsb) (Entered: 07/31/2017)
08/04/2017	<u>10</u>	NOTICE of Appearance by Damon William Taaffe on behalf of All Defendants (Taaffe, Damon) (Entered: 08/04/2017)
08/15/2017	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 8/04/2017. (Topic, Matthew) (Entered: 08/15/2017)
08/15/2017	<u>12</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/3/2017. Answer due for ALL FEDERAL DEFENDANTS by 9/2/2017. (Topic, Matthew) (Entered: 08/15/2017)
08/17/2017	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE served on 8/8/2017 (Topic, Matthew) (Entered: 08/17/2017)
08/17/2017	<u>14</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF THE TREASURY served on 8/3/2017 (Topic, Matthew) (Entered: 08/17/2017)
08/17/2017	<u>15</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 8/4/2017. (Topic, Matthew) (Entered: 08/17/2017)
08/17/2017	<u>16</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. OFFICE OF SPECIAL COUNSEL served on 8/4/2017 (Topic, Matthew) (Entered: 08/17/2017)
08/17/2017	<u>17</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/3/2017. Answer due for ALL FEDERAL DEFENDANTS by 9/2/2017. (Topic, Matthew) (Entered: 08/17/2017)

08/24/2017	<u>18</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Nabiha Syed, :Firm– Buzzfeed, Inc., :Address– 111 East 18th Street, 13th Floor, New York, NY 10003. Phone No. – 6566009617. Fax No. – 2124317461 Filing fee \$ 100, receipt number 0090–5088971. Fee Status: Fee Paid. by BUZZFEED, INC., JASON LEOPOLD (Attachments: # <u>1</u> Declaration In Support Of Motion To Admit Counsel Pro Hac Vice)(Topic, Matthew) (Entered: 08/24/2017)
08/25/2017	<u>19</u>	ERRATA (<i>Signed version of declaration</i>) by BUZZFEED, INC., JASON LEOPOLD <u>18</u> MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Nabiha Syed, :Firm– Buzzfeed, Inc., :Address– 111 East 18th Street, 13th Floor, New York, NY 10003. Phone No. – 6566009617. Fax No. – 2124317461 Filing fee \$ 100, receipt nu filed by BUZZFEED, INC., JASON LEOPOLD. (Topic, Matthew) (Entered: 08/25/2017)
08/28/2017		MINUTE ORDER granting <u>18</u> Motion for Leave to Appear Pro Hac Vice. Nabiha Syed is hereby admitted pro hac vice to appear in this matter on behalf of Plaintiffs. Signed by Judge Amit P. Mehta on 08/28/2017. (lcapm3) (Entered: 08/28/2017)
09/05/2017	<u>20</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint,, Cover Sheet, by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY (Taaffe, Damon) (Entered: 09/05/2017)
09/05/2017		MINUTE ORDER granting <u>20</u> Defendants' Consent Motion for Extension of Time to Respond to the Complaint. Defendants shall file their Response on or before October 5, 2017. Signed by Judge Amit P. Mehta on 09/05/2017. (lcapm3) (Entered: 09/05/2017)
10/05/2017	<u>21</u>	ANSWER to Complaint by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY.(Taaffe, Damon) (Entered: 10/05/2017)
10/06/2017	<u>22</u>	ORDER: Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before October 20, 2017. See attached Order for additional details. Signed by Judge Amit P. Mehta on 10/06/2017. (lcapm3) (Entered: 10/06/2017)
10/06/2017		Set/Reset Deadlines/Hearings: Joint Status Report due by 10/20/2017. (zcdw) (Entered: 10/07/2017)
10/20/2017	<u>23</u>	Joint STATUS REPORT by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY. (Taaffe, Damon) (Entered: 10/20/2017)
10/23/2017		MINUTE ORDER. The parties shall file a Joint Status Report no later than November 20, 2017, which (1) details Defendants' search and production efforts, and (2) addresses whether further litigation will be required to resolve this matter and, if so, proposes a briefing schedule. Signed by Judge Amit P. Mehta on 10/23/2017. (lcapm3) (Entered: 10/23/2017)
10/23/2017		Set/Reset Deadlines/Hearings: Joint Status Report due by 11/20/2017. (cdw) (Entered: 10/23/2017)
11/20/2017	<u>24</u>	Joint STATUS REPORT by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY. (Taaffe, Damon) (Entered: 11/20/2017)
11/21/2017		MINUTE ORDER. In light of the parties' <u>24</u> Joint Status Report, the parties shall file on or before December 18, 2017, a subsequent Joint Status Report that advises the court of their progress and addresses whether further litigation will be required to resolve this matter and, if so, proposes a briefing schedule. Signed by Judge Amit P. Mehta on 11/21/2017. (lcapm3) (Entered: 11/21/2017)
11/21/2017		Set/Reset Deadlines/Hearings: Joint Status Report due by 12/18/2017. (zcdw) (Entered: 11/22/2017)
12/18/2017	<u>25</u>	Joint STATUS REPORT by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY. (Taaffe, Damon) (Entered: 12/18/2017)

12/18/2017		MINUTE ORDER. In light of the parties' <u>25</u> Joint Status Report, the parties shall file a subsequent Joint Status Report no later than February 16, 2018. Signed by Judge Amit P. Mehta on 12/18/2017. (lcapm3) (Entered: 12/18/2017)
12/18/2017		Set/Reset Deadlines/Hearings: Joint Status Report due by 2/16/2018. (zcdw) (Entered: 12/19/2017)
02/16/2018	<u>26</u>	Joint STATUS REPORT by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY. (Taaffe, Damon) (Entered: 02/16/2018)
02/16/2018		MINUTE ORDER. The parties shall file a Joint Status Report no later than April 17, 2018, that advises the court of their progress and addresses whether further litigation will be required to resolve this matter and, if so, proposes a briefing schedule. Signed by Judge Amit P. Mehta on 02/16/2018.(lcapm3) (Entered: 02/16/2018)
02/16/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 4/17/2018. (zcdw) (Entered: 02/20/2018)
04/03/2018	<u>27</u>	ENTERED IN ERROR.....NOTICE of Appearance by Sherri L. Morgan on behalf of OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY (Morgan, Sherri) Modified on 4/4/2018 (znmw). (Entered: 04/03/2018)
04/17/2018	<u>28</u>	Joint STATUS REPORT by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY. (Morgan, Sherri) (Entered: 04/17/2018)
04/17/2018	29	MINUTE ORDER. In light of the parties' <u>28</u> Joint Status Report, the parties shall file a subsequent status report no later than June 18, 2018, that advises the court of their progress and, if necessary, proposes a briefing schedule. Signed by Judge Amit P. Mehta on 04/17/2018. (lcapm3) (Entered: 04/17/2018)
04/17/2018		Set/Reset Deadlines/Hearings: Joint Status Report due by 6/18/2018. (zcdw) (Entered: 04/18/2018)
06/18/2018	<u>30</u>	Joint STATUS REPORT by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY. (Morgan, Sherri) (Entered: 06/18/2018)
06/20/2018		MINUTE ORDER. Upon consideration of the parties' <u>30</u> Joint Status Report, the parties shall file a subsequent Joint Status Report describing their progress in resolving this case, or, if necessary, proposing a briefing schedule, on or before August 20, 2018. Signed by Judge Amit P. Mehta on 06/20/2018. (lcapm3) (Entered: 06/20/2018)
06/20/2018		Set/Reset Deadlines: Joint Status Report due by 8/20/2018. (zjd) (Entered: 06/20/2018)
08/17/2018	<u>31</u>	Joint STATUS REPORT by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY. (Morgan, Sherri) (Entered: 08/17/2018)
08/20/2018		MINUTE ORDER. Upon consideration of the parties' <u>31</u> Joint Status Report, the parties shall file a subsequent Joint Status Report describing their progress in resolving this case, or, if necessary, proposing a briefing schedule, on or before October 16, 2018. Signed by Judge Amit P. Mehta on 08/20/2018. (lcapm3) (Entered: 08/20/2018)
08/20/2018		Set/Reset Deadlines: Joint Status Report due by 10/16/2018. (zjd) (Entered: 08/21/2018)
10/15/2018	<u>32</u>	NOTICE OF SUBSTITUTION OF COUNSEL by William Mark Nebeker on behalf of OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY Substituting for attorney Sherri Morgan (Nebeker, William) (Entered: 10/15/2018)
10/16/2018	<u>33</u>	Joint STATUS REPORT by BUZZFEED, INC., JASON LEOPOLD. (Topic, Matthew) (Entered: 10/16/2018)
10/17/2018		MINUTE ORDER. Upon consideration of the parties' <u>33</u> October 16, 2018, Joint Status Report, the parties are directed to file another Joint Status Report, on or before December 16, 2018, that updates the court on their progress and, if necessary, proposes

		a briefing schedule. Signed by Judge Amit P. Mehta on 10/17/2018. (lcapm3) (Entered: 10/17/2018)
10/17/2018		Set/Reset Deadlines: Joint Status Report due by 12/16/2018. (zjd) (Entered: 10/18/2018)
12/18/2018	<u>34</u>	Joint STATUS REPORT by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY. (Taaffe, Damon) (Entered: 12/18/2018)
12/18/2018		MINUTE ORDER. Upon consideration of the parties' <u>34</u> December 18, 2018, Joint Status Report, the parties are directed to file another Joint Status Report, on or before February 19, 2019, that updates the court on their progress and, if necessary, proposes a briefing schedule. Signed by Judge Amit P. Mehta on 12/18/2018. (lcapm3) (Entered: 12/18/2018)
12/18/2018		Set/Reset Deadlines: Joint Status Report due by 2/19/2019. (zjd) Modified on 12/20/2018 (zjd). (Entered: 12/19/2018)
02/19/2019	<u>35</u>	Joint STATUS REPORT by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY. (Taaffe, Damon) (Entered: 02/19/2019)
02/21/2019		MINUTE ORDER. Upon consideration of the parties' <u>35</u> Joint Status Report, the parties are directed to file another Joint Status Report, on or before April 22, 2019, that updates the court on their progress and, if necessary, proposes a briefing schedule. Signed by Judge Amit P. Mehta on 02/21/2019. (lcapm3) (Entered: 02/21/2019)
02/21/2019		Set/Reset Deadlines: Joint Status Report due by 4/22/2019. (zjd) (Entered: 03/07/2019)
02/22/2019	<u>36</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY. Attorney Damon William Taaffe terminated. (Taaffe, Damon) (Entered: 02/22/2019)
03/25/2019	<u>37</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by BUZZFEED, INC., JASON LEOPOLD (Topic, Matthew) (Entered: 03/25/2019)
04/22/2019	<u>38</u>	Joint STATUS REPORT by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY. (Nebeker, William) (Entered: 04/22/2019)
04/23/2019		MINUTE ORDER. Upon consideration of the parties' <u>38</u> Joint Status Report, the parties are directed to file another Joint Status Report, on or before June 27, 2019, that updates the court on their progress and, if necessary, proposes a briefing schedule. Signed by Judge Amit P. Mehta on 04/23/2019. (lcapm3) (Entered: 04/23/2019)
04/23/2019		Set/Reset Deadlines: Joint Status Report due by 6/27/2019. (zjd) (Entered: 04/25/2019)
06/27/2019	<u>39</u>	Joint STATUS REPORT by OFFICE OF SPECIAL COUNSEL, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, U.S. DEPARTMENT OF THE TREASURY. (Nebeker, William) (Entered: 06/27/2019)
06/28/2019		MINUTE ORDER. The parties shall file an additional Joint Status Report by September 3, 2019, that proposes further proceedings for this matter and, if necessary, a summary judgment briefing schedule. Signed by Judge Amit P. Mehta on 06/28/2019. (lcapm3) (Entered: 06/28/2019)
06/28/2019		Set/Reset Deadlines: Parties Additional Joint Status Report due by 9/3/2019 (ldc) (Entered: 06/28/2019)
08/06/2019	<u>40</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of BUZZFEED, INC., JASON LEOPOLD (Wayne, Merrick) (Entered: 08/06/2019)
09/03/2019	<u>41</u>	Joint STATUS REPORT by BUZZFEED, INC., JASON LEOPOLD. (Topic, Matthew) (Entered: 09/03/2019)